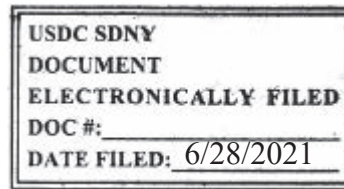


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



Craig Cunningham,

Plaintiff,

—v—

On Deck Capital, Inc., *et al.*,

Defendants.

20-cv-10621 (AJN)

ORDER

ALISON J. NATHAN, District Judge:

On May 17, 2021, Plaintiff Craig Cunningham filed an amended complaint. Dkt. No. 12. On May 28, 2021, Defendants moved to dismiss the amended complaint. Dkt. No. 15. As of the date of this order, the Court has not received Plaintiff's opposition to the Defendants' motion to dismiss. IT IS ORDERED that Plaintiff shall file his opposition to the motion to dismiss or file a letter indicating that no opposition will be filed by **July 19, 2021**. If Plaintiff files an opposition, Defendants' reply, if any, is due July 26, 2021. If Plaintiff opts not to file an opposition, the motion will be deemed unopposed.

Plaintiff is advised that failure to comply with this order may result in the case being dismissed for failure to prosecute. *See* Fed. R. Civ. P. 41(b); *Baptiste v. Sommers*, 768 F.3d 212, 216 (2d Cir. 2014) (Rule 41(b) of the Federal Rules of Civil Procedure authorizes the district court to dismiss an action "[i]f the plaintiff fails to prosecute or to comply with [the] rules or a court order.").

SO ORDERED.

Dated: June 28, 2021
New York, New York

A handwritten signature in black ink, appearing to read "Alison J. Nathan".

ALISON J. NATHAN
United States District Judge